

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DOMONIQUE HINES,

Plaintiff,

v.

KFC U.S. PROPERTIES, INC.,

Defendant.

Civil No. 09cv2422 - JM (POR)

**ORDER PERMITTING LIMITED  
DISCOVERY, AND SCHEDULING  
CASE MANAGEMENT CONFERENCE**

On May 24, 2010, the Court held an Early Neutral Evaluation. Appearing before the Court were: Domonique Hines, Plaintiff; James Finberg, Esq., Matthew Matern, Esq., and Wendy Sha, Esq., counsel for Plaintiff; Tawanda Starms and Steve Yeakel, Esq., representatives of Defendant; and Andra Greene, Esq., and Wendy Sugg, Esq., counsel for Defendant. The case did not settle. Counsel represented that the parties have held a Rule 26(f) conference and made initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1). At the Early Neutral Evaluation, both parties requested permission to conduct discovery related to Plaintiff's Motion for Class Certification, which is currently pending before the Honorable Jeffrey T. Miller. Based on discussions with counsel, and in light of the pending motion, IT IS HEREBY ORDERED:

1. Defendant may depose Plaintiff's experts submitting declarations in support of the Motion for Class Certification, Aaron Woolfson and Robert Abbott, Ph.D.
2. Plaintiff may depose Defendant's experts who submit declarations in opposition to Plaintiff's Motion for Class Certification.
3. Without further court order, each party may depose up to one-third of the opposing

1 party's non-expert declarants. Without further court order, the depositions of non-  
2 expert English speakers shall be limited to 4 hours.

3 4. Plaintiff may request the production of the alarm records, but the Court does **not**  
4 express an opinion as to whether the alarms records are discoverable. Accordingly,  
5 Defendant retains the right to object to the request for production.

6 5. On or before **August 26, 2010**, the parties shall file a Supplemental Discovery Plan  
7 with the chambers of the Honorable Louisa S Porter via email to:

8 **efile\_porter@casd.uscourts.gov**.

9 6. The Court hereby schedules a Case Management Conference on **September 1, 2010**  
10 at **1:30 p.m.** The Conference shall be telephonic, with attorneys only. Counsel for  
11 Plaintiff shall arrange and initiate the call.

12 IT IS SO ORDERED.

13  
14 DATED: May 25, 2010

15   
16 LOUISA S PORTER  
17 United States Magistrate Judge

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19 cc: The Honorable Jeffrey T. Miller  
20 All parties  
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